

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Civil Action No. 3:05-CV-00231

**CONTINENTAL TIRE NORTH AMERICA,
INC. and EXEL INC.,**

Plaintiffs/Counterclaim Defendants,

v.

TRANSPORTATION SOLUTIONS, INC.,

Defendant/Counterclaim Plaintiff.

**ORDER AMENDING
PRE-TRIAL ORDER**

Upon consideration and review of the Joint Motion to Amend Pre-Trial Order, filed June 9, 2006 by counsel for all the parties in this action, this Court hereby **ORDERS** that the Pre-Trial Order and Case Management Plan, filed September 14, 2005, is amended as follows:

- (i) The parties shall exchange documents by July 15, 2006.
- (ii) Section I(A) is amended to provide that reports from retained experts will be due from Plaintiffs by February 16, 2007, from Defendant by March 19, 2007, and supplementation will be due by March 30, 2007. Section I(A) also is amended to provide that, unless otherwise agreed to by the parties or ordered by the Court, each Plaintiff may depose no more than 15 fact witnesses and the Defendant may depose no more than 30 fact witnesses, but no party shall be subjected to more than 15 depositions of its employees or former employees.
- (iii) Section I(F) is amended to provide that all discovery shall be completed by **June 1, 2007.**

(iv) Section II(A) is amended to provide that all motions except motions in *limine* and motions to continue shall be filed by **July 15, 2007**.

(v) Section III is amended to provide that the tentative trial date will be the **November 6, 2007** term.

(vi) Section V is amended to provide that the deadline to conduct mediation is **April 16, 2007**.

IT IS, THEREFORE, ORDERED that the Pre-Trial Order is amended as set forth above.

Signed: June 12, 2006

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

